

THE WAR WITH MEXICO.

SPEECH

OF

MR. HOWELL COBB, OF GEORGIA,

IN THE HOUSE OF REPRESENTATIVES, WEDNESDAY, FEBRUARY 2, 1848,

On the Causes and the Conduct of the War with Mexico.

Mr. COBB said:

MR. SPEAKER: It has been solemnly asserted by the majority of this House, on our records, that the present war with Mexico "was unnecessarily and unconstitutionally begun by the President of the United States." I take it that gentlemen, in voting this declaration, intend to convey fully the idea—which the language employed by them imports—that the war is an unnecessary one; that it could easily have been avoided by the exercise of proper wisdom, discretion, and foresight on the part of the President, provided he had been actuated by patriotic motives in adopting the various measures which he has taken in reference to it; and thereby holding him responsible before the country for all the blood that has been spilt, and all the treasure that has been expended in its prosecution. The charge is a grave and serious one, imputing the deepest moral turpitude to the President; and those who have made it, with such formal solemnity, should be held to a strict accountability at the bar of public opinion, if, upon a due examination of the facts, it should appear to be utterly groundless—neither sustained by evidence, nor supported by argument.

The act of the President upon which this charge is founded, and which is thus to involve him in such heavy responsibility, is the order issued, under his direction, by the Secretary of War, on the 13th of January, 1846, for the removal of the army from Corpus Christi to some proper and convenient point on the Rio Grande. This, sir, is the head and front of the offending of the President, on account of which he is charged with having brought upon us all the calamity and disgrace which necessarily result from having the country involved in an unjust war with a foreign nation.

It may not be amiss, whilst we are examining into the origin and causes of this war, and seeking to find the individuals upon whom the responsibility of it is justly chargeable, to inquire into the opinions which were entertained by those gentlemen who are now so bold and reckless in their denunciations of the President, at the time that the annexation of Texas was the subject of our deliberations. It may not be wholly uninstructive to recall to our recollections the scenes of that day, and the objections that were then urged against the resolutions of annexation, as they were familiarly called, when it was proposed to incorporate into our Union the Republic of Texas, as one of our free and sovereign States. It would seem uncalled for to remind gentlemen who were here during the discussion of that measure, or, indeed, those who were familiar with the views and opinions of the public men and press of the opposite party on this subject, of the gloomy predictions which they essayed to send forth to the country as to the inevitable consequence that would result from the consummation of the purposes of the friends of annexation; and yet, sir, the votes of gentlemen upon the charge against the President, to which I am now alluding, demand that their memory

should be refreshed upon this subject. They have forgotten the nature and character of the objections which they urged against the annexation of Texas to our Union, at the time when that proposition was pending before Congress and the country. It has passed from their memory that the alarm was sounded in these Halls, and echoed back from every section of the Union, that war with Mexico would be the necessary result of carrying out that important measure, and that those of us who were participating in bringing about that result would be responsible before God and the country for all the calamitous consequences that would come in its train. In glowing and eloquent terms they presented the gloomy picture of a bloody war between the two Republics, and with prophetic indignation they visited upon our consciences the responsibility of the blood and treasure that would be sacrificed in the cause.

If the position then assumed by the Whig party be well-founded—if they were honest and sincere in the declarations that they sent forth to the country—I desire to know how it is that the original friends of annexation, who advocated, supported, and voted for it, are now to be relieved of all the responsibility which it was then charged they had incurred, and the whole of it is now to be laid at the door of the President, for having, as they now declare, involved us in an "unnecessary war," which could have been avoided by the exercise of proper prudence, foresight, and discretion. In order that this thing may be the more strikingly presented to the public mind, I propose to call your attention to the strong and emphatic language employed by some of the prominent statesmen who engaged in the discussion of the question during its pendency before this House; and the country will not fail to remark, that it was not only avowed that annexation would be just cause of offence to Mexico, and predicted that war would be the necessary consequence of such an act of bad faith towards Mexico on our part, but, sir, gentlemen went still further, and declared that annexation was war *per se*; that by the very act of admitting Texas into our Union, we took upon ourselves what they alleged to be the existing war between Texas and Mexico; and that, as a matter of unavoidable consequence, as soon as the deed was consummated, we were *ipso facto* in a state of war with Mexico. I read a short extract from the speech of Mr. J. R. INGERSOLL, of Pennsylvania, delivered in this House on the 4th of January, 1845, on the joint resolutions for the annexation of Texas. It was the first argument made on the subject on that occasion; and it will be observed that its language is bold, clear, explicit, and unqualified:

"A question had sometimes been made whether annexation with Texas would lead to war with Mexico. Mr. I. did not consider that to be a true statement of the case. Annexation with Texas was of itself, and of necessity, war with Mexico. How could it be otherwise? A war existed between these two countries. Whether civil or foreign in its nature, whether fiercely or sluggishly carried on, was not the point. * * * If Texas should become a part of the

United States, that part kept alive the war in which it was engaged, and every part of the United States adopted and assumed it."

It is due to the gentleman from Pennsylvania, (who, I perceive, is not in his seat,) to state, that upon an examination of the vote upon the amendment of the gentleman from Massachusetts, [Mr. ASHMUN,] declaring that this war "was unnecessarily and unconstitutionally begun by the President of the United States," I do not find the name of that gentleman recorded; and I therefore have not referred to it for the purpose of involving him in a personal inconsistency: but I use it, sir, as an exposition of the ground assumed by the opposite party pending the question of annexation—as a sentiment that was responded to by a large proportion of the people of the country, who agree with and belong to the same political party with the gentleman from Pennsylvania.

I will next submit to the consideration of the House an extract from a speech made on the same occasion by the gentleman from Vermont, [Mr. COLLAMER,] who has preceded me in this debate, in which that gentleman reiterates, with equal clearness and force, the sentiments expressed by the gentleman from Pennsylvania; and I do find that the gentleman from Vermont is one of those who have now declared, upon the records of this session of Congress, that this war was unnecessarily and unconstitutionally *begun* by the President of the United States. He said, in a speech delivered in this House on the 23d January, 1845:

"My next objection is, that it is a war with Mexico. It is not, as has been insisted, only a matter for which Mexico may declare war, but will not. Mexico claims Texas as a revolted province, and is now at war with her to reduce her. This Mexico has the undoubted right to do, if she can. Of this right none can deprive her, without her consent. This is an existing war; and, let who would participate, Mexico may prosecute it without any new declaration of war."

Such was the declaration of that gentleman at the time that the joint resolutions for the annexation of Texas were progressing before Congress. He here declares, that the moment the resolutions were passed and become the law of the land, war existed between Mexico and the United States. If so, I want to know at what time *that* war ceased, and at what time *the present* war was begun by the President of the United States, as he now affirms it was? Here, then, sir, is a plain, positive, and unequivocal declaration that *annexation is war*, made by the same gentleman who *now* says that war did not exist until it was unnecessarily and unconstitutionally begun by the President. The two propositions are irreconcilable—both cannot be true. It is for the gentleman and his party to say upon which of these two contradictory statements they intend for the future to stand; and, also, in the spirit of candor, to acknowledge the falsity of the one they may ultimately determine to abandon.

Mr. VINTON interposed, wishing to ask the gentleman from Georgia one question, and (Mr. C. yielding) inquired if the friends of annexation, at the time of annexation, admitted it was war?

Mr. COBB. No, sir. They did not admit it. Nor do the friends of annexation, like the gentleman and his party, involve themselves in the inconsistency of assuming one position at that time, and another now. We stand now upon the same ground that we then occupied. We declared then that annexation was no just cause of offence to Mexico; that Texas had nobly and gloriously won her independence by the strong arm of successful revolution; and that therefore it ought not rightfully to involve this country in any war. We say so yet; and I may here add, that we have the strong authority of the distinguished Senator

from Massachusetts, [Mr. WEBSTER,] that it was "no just ground of complaint on the part of Mexico, that the United States annexed Texas to themselves."

Mr. COLLAMER (Mr. COBB yielding) inquired whether, after the annexation of Texas, the President, in his next annual message, did not state that we were in a state of peace?

Mr. COBB. Yes, beyond all question, the President did so state. But how does that relieve the gentleman from the inconsistency of his position? Are you bound by whatever the President says?

Mr. COLLAMER (Mr. COBB again yielding) stated that he had then said that he thought annexation was war; but as Congress must receive information from the President as to the state of the country, especially of its foreign relations, and as the President, after annexation had been consummated, said we were in a state of peace, if this information was correct, the war must have begun from some other cause.

Mr. COBB. Do I understand the gentleman from Vermont to say, then, that the President satisfied him that he [Mr. COLLAMER] was originally wrong? [A laugh.] Do I understand the gentleman from Vermont no longer to believe that annexation was war?

Mr. COLLAMER. It was an act of war by the law of nations; but the President did not treat it so, and therefore I took him on his own ground.

Mr. COBB, (resuming.) If the gentleman takes the President by the ground he assumes, he must allow that his mind has been convinced of his former error by the argument of the President. The gentleman cannot say at one time before Congress that such and such are his opinions, and afterwards, when he asserts contradictory opinions, say he does so on the ground, that although he believes he was at first right, yet he is told by the President of the United States that he was wrong. Are the gentlemen on that side of the House willing thus to place themselves in the attitude before the country of pinning their faith to the sleeve of the President? Or is it an attempt to justify themselves in so glaring an inconsistency by the effort to throw the burden of it off of their own shoulders and on to the President of the United States? Were gentlemen to come here under the solemnities which were thrown upon the official acts of members of this House, and put upon record the solemn declaration of a fact, and afterwards say to the country, I did it not because I believed it, but because the President took that position? That was the sum and substance of the explanation of the gentleman from Vermont; and I seriously doubt whether a better one can be given by any of the gentlemen who are involved with him in this awkward position before the country. I apprehend that these things may have passed away from the memory of the gentleman from Vermont, and I recommend to him to bestow rather more reflection upon them before he undertakes to reconcile these contradictory statements of opinions.

I have the speeches before me assuming similar positions, of other gentlemen, some of whom are now members of this House, and who, like the gentleman from Vermont, have now voted that the war was unnecessarily and unconstitutionally begun by the President. I will not trouble the House by reading further; my object is simply to present the fact to the attention of the House and the country, that the Whig party, in reference to the annexation of Texas and the war, now occupy a position wholly irreconcilable with the one taken by them at the time the resolutions for the annexation of Texas were pending before Con-

gress. There were three classes of opinions expressed by gentlemen who were opposed to annexation: one class contended that annexation would be cause of war; another that it would necessarily involve the country in war; and the third took the strong position assumed by my friend from Vermont, that annexation was war *per se*. Now, I appeal to the candor of gentlemen on the opposite side of the House to say with what propriety, with what justice do you call down the indignation of this country upon the head of the President of the United States for a war which some of you say was the necessary consequence of annexation, and which others of you say was identical with the act of annexation? I ask you to wipe out this record; blot it out; let it not go down to posterity side by side with the contradictory statement made by you on a former occasion.

But I wish to inquire for a moment what are the reasons and motives which govern gentlemen on the other side of the House in thus changing their position on this question. Why are you not now disposed to hold the consciences of the men who originally brought about the annexation of Texas—who advocated, sustained, and passed through both Houses of Congress, this measure, and who thus, as you then said, brought about this war,—responsible for the waste of blood and treasure which has been occasioned by it? I confess, in looking over the whole subject, and endeavoring to satisfy my mind whether or not any good reason exists for this change, I have been unable to discover any. I can find but one reason, which I am compelled to believe has been the controlling one in bringing about this change of position on your part; and it is this: so long as you continued to charge that annexation involved us in war—that annexation was *ipso facto* war—so long was the present President of the United States irresponsible. No point could be made upon Mr. Polk, no attack could be made upon this Administration in consequence of this war, unless some means were resorted to to place the origin of it on other grounds than the act of annexation, which existed prior to Mr. Polk's coming into power. I see no other reason for this glaring inconsistency, unless it be the attempt to relieve gentlemen on the opposite side of the House, who participated in bringing about annexation, from their due proportion of the responsibility, if responsibility they will have it, of involving the country in war. What other motive could actuate gentlemen? Why is it that the eloquence of gentlemen against annexation has been hushed? I confess myself unable to find any other motives than those to which I have just referred. If any others exist, make them known, and you shall have the benefit of whatever palliation it may offer.

Passing on from this gross and palpable inconsistency in which the Whig party have involved themselves, I propose to consider the truth of the allegation, that the war was brought about by the removal of the army from Corpus Christi to the Rio Grande, and to examine the reasons and influences that were operating upon the mind of the President to induce the issuing of that order, and to see whether he could have done otherwise than he did without rendering himself justly reprehensible before Congress and the country for a failure to do his duty. I feel no hesitation in giving it as my opinion, that had the President neglected to adopt the policy for the defence of the territory of Texas, as Texas claimed it to be, which was carried out in the execution of this order, those gentlemen who now charge the responsibility of the war upon him for that act, would

have been eloquent in their denunciation of the imbecility and want of energy on the part of the Executive. What are the facts? The annexation resolutions had passed Congress and become the law of the land when Mr. Polk came into office. The Mexican minister had notified this Government, pending the progress of the question before Congress, that the Mexican Government would consider the consummation of that act just cause of war; and he entered, in the name of his Government, their most solemn protest against it. Immediately after the passage and Executive sanction of the resolutions, the Mexican minister, in conformity with the opinions previously expressed by him, and the direction of his Government, demanded his passports, dissolved the diplomatic relations between the two Governments, and returned to his own country. What, I inquire, was the feeling then existing in Mexico, both with her rulers and her people towards the United States? From all the information which has been thrown before the public—gathered from the tone of her public press, the official correspondence of her various civil departments, the manifestoes shortly thereafter issued from the public gatherings of the people in their primary assemblies—we are fully justified in the assertion, that Mexico at that time, in furtherance of her previously expressed intention of reconquering Texas, was determined upon war with the United States. She professed to regard the annexation of Texas as not only just cause of war, but as war itself; and in that opinion she was countenanced, as we have seen, by the concurrent opinion of some of our own prominent statesmen. War, then, in her own emphatic language, was her only alternative. In confirmation of this view of the matter, I beg to refer to certain circulars from the office of the Mexican Minister of War, at as early a date as July 12, 1845, wherein the officers in command of the army were called upon to recruit and raise the necessary troops for the prosecution of the war, upon which the Mexican Government had determined, and which requisitions were necessary, in the language of Garcia Conde, in his circular of the 16th July, 1845, "for the war which she [Mexico] wages against the United States."

"OFFICE OF WAR AND MARINE, }
"Section of Operations. }

"The United States have consummated the perfidy against Mexico by sanctioning the decree which declares the annexation of the department of Texas to that Republic. The injustice of that usurpation is apparent, and Mexico cannot tolerate such a grave injury without making an effort to prove to the United States the possibility of her ability to cause her rights to be respected. With this object, the Supreme Government has resolved upon a declaration of war against that Power, seeing that our forbearance, instead of being received as a proof of our friendly disposition, has been interpreted into an acknowledged impossibility on our part to carry on a successful war.

"Such an error, on the part of the United States, will be advantageous to Mexico, because, suddenly abandoning its pacific attitude, it will to-morrow communicate to Congress the declaration of war, and excite the patriotism of its citizens to sustain the dignity of the nation and the integrity of its territory, now treacherously attacked, in utter disregard of all guarantees recognized in this enlightened age.

"You will readily appreciate the importance of this subject, and the necessity of preparing the troops under your command to march towards any point which may require protection against these most unjust aggressions. I am directed by the Provisional President to enjoin you, as general-in-chief of your division, and as a citizen of this Republic, to hold yourself in readiness to repel those who seek the ruin of Mexico. The Government is occupied in covering the deficient points on the frontiers, and in collecting the necessary means, so that nothing may be wanting to those whose glory it will be to defend the sacred rights of their country.

"I have the honor to communicate for your intelligence, and to direct your conduct.

"God and liberty!

"MEXICO, July 12, 1845."

GARCIA CONDE.

"This circular to the authorities subordinate to this office.

"**MOST EXCELLENT SENOR:** As my notes of the 30th of March and 7th of April of this year, concerning the deserters and recruits for the army, have not produced effects which his Excellency the President *ad interim* desired, as the Governors have not been able to gather a number of men by any means adequate to the wants of the army, his Excellency has ordered your excellency to provide the material to enable the different departments to furnish their quota, and complete the contingent of troops required by the decrees of the 29th of December, 1843, and 2d July, 1844: for although the Supreme Government has not exacted, with punctuality, the complement from the departments, she now sees herself under the necessity of doing so, for the war which she wages against the United States, the perfidy and treachery of which Power put her in possession of a part of this republic.

"His Excellency the President *ad interim* requires that your Excellency inform the Governors of the necessity which exists of detailing the number of men, so highly necessary to fill the ranks of the army, and to excite the zeal and patriotism of the authorities, that their preparations shall be so effectual as to fulfil the desires of the Government, and prevent the dignity of the nation from being in any measure compromised.

"I have the honor to communicate to your Excellency the following, to be used as occasion may require.

"God and liberty!

"JULY 16, 1845."

GARCIA CONDE.

"Most excellent Señor, Minister of Foreign Relations and of Police. Transmit to the authorities depending upon your department.

"**MOST EXCELLENT SENOR:** It being necessary that the troops of the line should cover the frontiers of the republic, and march towards Texas to conquer that department, now usurped by the United States, his Excellency the President *ad interim* has commanded me to transmit you this note, to excite the zeal and patriotism of the Governors, that they place under arms, in their respective districts, all the force which can be collected in defence of the law, to be ready to serve as a safeguard of the respective departments, according to the decree of the 4th of June of this year, and the regulation of the 7th instant.

"Your Excellency will communicate to the Governors this supreme resolution, and will inform them of the obligations under which the citizens are to contribute to the defence of their country, and to sustain rights violated by a nation which refuses to acknowledge them, and obliges Mexico to maintain them by force, which it most undoubtedly will, or fall in the struggle. She will not consent to give up one half of her territory, from the base fear of losing the other. Hoping your Excellency will furnish me with information as to the number of men which can be devoted to this important object, your Excellency will please to accept my most high consideration.

"God and liberty!

GARCIA CONDE.

"MEXICO, July 16, 1845.

"To the most excellent Señor, Minister of Foreign Relations and Police."

In connection with these circulars, I call your attention to the orders issued by the commanding generals of her army. On the 12th August, 1845, Arista, in a proclamation addressed by him to the troops, uses the following language:

"Comrades: The Supreme Executive has sent to me, by express, the news that, the United States, in pursuance of their ambitious views, having taken possession of the department of Texas, he had demanded a declaration of war from Congress against that unjust nation.

"The time to fight is come. We must prepare with the ardor inspired by duty and patriotism, when an attack is made upon the soil, the honor, and the pride of the nation.

"Arms are the only arguments to use against banditti and men without good faith. Let us hope for that justice which is invoked by all society, and the decision of the civilized world.

"Our lot will be envied by the rest of the army—we are nearest to the theatre of war; we are the first to avenge the outrages on our country, and to ravish from the usurpers the object of their rapines.

"Large bodies of troops are on their march; they will soon be here, to share our dangers and repulse the enemy."

General Paredes, in a similar proclamation to the Mexican army, on the 27th August, 1845, uses this strong and denunciatory language against the United States:

"Soldiers! A rapacious and grasping race have thrown themselves upon our territory, and dare to flatter themselves that we will not defend the patrimony which our forefathers conquered with their blood. They deceive themselves: we will fly to snatch from them the spoils, the possession of which they are impudently enjoying; and they shall learn, by dearly-bought experience, that they are not contending

with the undisciplined tribes of Indians whom they robbed of their land, their heaven, and their country; and that the Mexicans will ardently combat the soldiers of a nation which has sanctioned by its laws the most degrading slavery."

In these official documents, issued from the various departments of the Mexican Government, will be seen a full exposition of the intention and policy of Mexico, and also her reasons for adopting it. She thus unequivocally announces, that "*the time to fight is come*," because the United States "has taken possession of the department of Texas." It will be observed, that all this occurred many months prior to the removal of the troops to the Rio Grande. Are we not, then, authorized in saying, Mexico herself being the witness, that "*she waged the war against the United States*," and that the *object of the war*, as thus waged by her, was the *reconquest of Texas*?

Whilst I am considering the evidences of the feelings and intentions of the Mexican Government, I beg leave to call the attention of the House for a moment to the history of the revolution in the latter part of the year 1845, which resulted in the overthrow of the government of Herrera, a few days after the rejection of our minister, Mr. Slidell, which I adduce in this connection as strongly confirmatory of the intentions of Mexico, as avowed in the documents which I have just commented upon. It will be recollect that Herrera had, through Mr. Black, our consul, indicated to our Government his willingness to receive our minister, for the purpose of settling the difficulties between the two republics by negotiation. Well, sir, at this time, in the department of San Luis Potosi, where this revolution against Herrera's government was gotten up, a manifesto was adopted by the army of reserve, declaring that the government of Herrera ought to be overthrown. And now, sir, mark the reason here assigned as a justification for this revolutionary movement. The manifesto justified the movement against Herrera's administration, on the ground that it

"Had repeatedly thwarted the purpose of the army to move upon Texas, and at the same time allowed the army to be vilified for its inaction by official journals; that it had admitted a commissioner, [meaning Mr. Slidell,] with whom it was endeavoring to arrange for the loss of the integrity of the Republic; that it had reduced the country almost to a state of anarchy, in the midst of which it existed, without revenue, without power, and almost without will; that these evils demanded no immediate remedy, and that the Administration confessed its total incompetency and powerlessness; that it had lost all respectability, so necessary to a Government, and had allowed a plenipotentiary of the United States to set foot in the country, and reside in the capital, with a view to bargain for the independence and nationality of the country, for which have been made so many sacrifices."

This manifesto was adopted on the 14th December, 1845, in which the grave charge is made against Herrera that he had permitted the American plenipotentiary "*to set foot in the country*," and that "*he had repeatedly thwarted the purpose of the army to move upon Texas*." Let it be remembered that this preceded by several months the removal of our troops from Corpus Christi to the Rio Grande, and, therefore, "*the purpose of moving upon Texas*," which had been thus "*repeatedly thwarted*," referred to the whole of Texas, and not to that portion lying between the Nueces and the Rio Grande, which gentlemen are pleased to call the disputed territory.

When, on a former occasion, I referred to this revolution, and the causes which produced it, gentlemen on the other side questioned the correctness of the position I assumed, then and now, that Herrera was overthrown in consequence of his pacific disposition towards the United States; and I am therefore gratified in being able to corroborate the evidence I have already adduced with the declara-

tion of Herrera himself, during the recent negotiation near the city of Mexico, in August last, between our commissioner, Mr. Trist, and the commissioners on the part of Mexico. I refer to the fact, that when appointed by Santa Anna to aid in conducting the negotiation on the part of Mexico, he declined to accept; and, referring to the revolution and the causes which led to it as his reason for such refusal, he says, in his note of 29th August, 1847:

"For no other act than showing that there would be no obstacle to his [Mr. Slidell's] presenting himself, and having his propositions heard, my administration was calumniated in the most atrocious manner; for this act *alone* the revolution which displaced me from command was set on foot."

Pacheco, on the following day, by direction of President Santa Anna, replied to him; and so far from questioning the correctness of his statement, he says—

"The very reasons upon which your excellency relies were those which led to your appointment."

I think, then, that I am fully sustained in the position that the government of Herrera was overthrown because of the pacific dispositions it had manifested towards the United States. He was succeeded, upon the successful termination of that revolution, by General Paredes, who may therefore be justly considered as the embodiment of the imbibited Mexican feeling then existing against our Government and people—a fact which should always be borne in mind in the examination of the subsequent professions of Paredes of a disposition peaceably to settle the pending difficulties between the two countries. And in reference to all such professions, from that and every other quarter in Mexico prior to the breaking out of hostilities, it may be remarked, that upon a critical inquiry into the facts, they will be found to have been made either for the purpose of deceiving and misleading our own Government, or in the vain effort of justifying, upon the record before the civilized world, their perverseness and obstinacy in rejecting our overtures for a pacific adjustment by negotiation of existing difficulties.

We have now seen the state of warlike feeling and bitter animosity existing in Mexico on the consummation of the annexation of Texas to our Union, and her avowed determination to resort to the arbitrement of arms; nevertheless the President, with an anxious desire to bring about a peaceable settlement of our mutual complaints, appoints Mr. Slidell minister to the Republic of Mexico, in conformity with the intimation previously given by her of his favorable reception. Gentlemen have said that the whole course of policy pursued by the President evidenced an intention to involve the two countries in war. In reply to this charge, I will only ask, Why did he send a minister there at that time? Did this movement indicate such an intention? The marked unwillingness of the Opposition to give the President due credit for these efforts to preserve peace between the two countries, is only another evidence of the overpowering influence of imbibited partisan feeling.

It is apparent, from the correspondence at the time, that the government of Herrera was disposed in good faith to receive our minister; but in consequence of the revolutionary effort that was then going on, and which resulted, a few days after the rejection of Mr. Slidell, in his overthrow, Herrera positively declined to receive him. When that information was received by the President of the United States, the order for the advance of our army to the Rio Grande was given. Now, I ask if, upon a review of these facts—looking at the repeated declarations of Mexico that the annex-

ation of Texas would be just cause of war—at the preparations which had been made by Mexico for the purpose of carrying on the war—at the refusal of that Government even to receive our minister, and that refusal based upon a mere pretext, (as I have high authority, as you know, sir, for saying,) —if, upon these considerations, it was not the imperative constitutional duty of the President to put the army of the United States in such position as to protect the State of Texas to limits coextensive with her claims? Whatever differences of opinion may have existed about the western boundary—whether it was, in point of fact, the Nueces or the Rio Grande, during the pendency of negotiation—I apprehend that it will not be denied, that when the Mexican Government had closed the doors against negotiation, and selected the arbitrement of arms as the only mode for the settlement of the question, the only recourse left to our Government, consistent with her own honor and self-respect, and her obligations to the State of Texas, was to insist upon the extreme rights of that State. Whilst some might be disposed to regard the Nueces as the line upon which negotiation might finally fix and determine, yet, when compelled to select a fighting line, all would regard with favor and approbation the Rio Grande as such line. The truth is, that Mexico neither regarded the Nueces nor the Rio Grande as the line of boundary between the two countries. Her eye was fixed upon the Sabine. With her, the question was not the settlement of the boundary of Texas, but the reconquest of Texas. The issue she made was the subjugation of the whole of Texas; and this imposed upon the President the corresponding duty of defending the whole of Texas; and had he pursued any other policy than the one he did adopt, he would have subjected his conduct to the severest censure and criticism.

There was another influence which, I doubt not, had no small or inconsiderable agency in convincing the mind of the President, that the exigency of the occasion demanded the prompt and energetic action which was manifested in the issuing of this order. I refer to the recommendation made to the War Department by the commanding general of the army of occupation. I refer to this recommendation of General Taylor, for the purpose of replying particularly to the gentleman from Indiana, [Mr. THOMPSON,] who, in reply to the gentleman from Maryland, [Mr. McLANE,] as to the recommendations of General Taylor upon this subject, declared, as I understood him, that General Taylor had retracted his original recommendation made to the President, as early as the 4th October, 1845, in favor of the removal of the troops from Corpus Christi to the Rio Grande. Such may be the construction put upon this correspondence by the gentleman from Indiana; but, so far as I have been enabled to comprehend the clear and explicit language employed by General Taylor in his respective communications, it has brought my mind to precisely an opposite conclusion; and I believe that the intelligence of the country will agree with me, upon a fair and candid examination of these despatches. In his letter of the 4th of October, he says:

"It is with deference that I make any suggestions on topics which may become matter of delicate negotiation; but if our Government, in settling the question of boundary, makes the line of the Rio Grande an ultimatum, I cannot doubt that the settlement will be greatly facilitated and hastened by our taking possession at once of one or two suitable points on or quite near that river. Our strength and state of preparation should be displayed in a manner not to be mistaken. However salutary may be the effect produced upon the border people by our presence here, we are too far from the frontier to impress the Government of

Mexico with our readiness to vindicate, by force of arms, if necessary, our title to the country as far as the Rio Grande. The 'army of occupation' will, in a few days, be concentrated at this point, in condition for vigorous and efficient service. Mexico having as yet made no positive declaration of war, or committed any overt act of hostilities, I do not feel at liberty, under my instructions, particularly those of July 8, to make a forward movement to the Rio Grande, without authority from the War Department."

In this despatch General Taylor recommends the removal of the army to some point at or near the Rio Grande, in the event that the Government intends to make the line of the Rio Grande an ultimatum. It will be perceived that this letter partakes rather of a political than a military character. The movement is recommended, not in reference to any advantage of position in the event of a conflict of arms, but on account of the moral effect it would produce "in facilitating and hastening the settlement of questions that might become the subject of delicate negotiation." The President, however, did not at this time act upon this recommendation, actuated, as I have no doubt, by an extreme reluctance, on his part, to take any step which might perchance militate against the pacific settlement of the questions in dispute by the negotiation which was then about to be undertaken. And yet, sir, if he had been animated by the unworthy motives and the unholy ambition which has been so freely imputed to him by gentlemen of the Opposition, here was an ample opportunity afforded of taking the very step which is now charged to have been willfully taken by the President, for the purpose of involving the country in a war of conquest, and at the same time placing upon others the responsibility of the act; but, sir, he did otherwise, and for the reason I have already given.

We now come to consider what the gentleman from Indiana calls the retraxit of General Taylor; but it will be seen, upon an attentive perusal of the paragraph referred to, that the order for the removal of the troops was issued in strict conformity to the very language of the despatch. On the 7th of November, General Taylor writes as follows :

"The intelligence from Mexico, however, tends to modify, in some degree, the views expressed in that communication. The position now occupied by the troops may, perhaps, be the best, while negotiations are pending, or at any rate, until a disposition shall be manifested by Mexico to protract them unreasonably."

I am free to grant, that in this letter General Taylor has modified his former opinion so far as it relates to the probable effect which such a movement would have upon pending negotiation. But with equal clearness and explicitness he renews the recommendation, to take effect upon the happening of a certain contingency, to wit: either *the failure to negotiate, or its unnecessary protraction;* and, sir, the action of the President was in strict conformity with this last recommendation of General Taylor. He did wait, as General Taylor advised, until the refusal of the Mexican Government to negotiate the questions in dispute. The news of the rejection of Mr. Slidell, by the Mexican Government, was received here on the 12th of January, 1845; and the order for the removal of the troops was issued on the following day; and the contingency provided for in General Taylor's letter having then happened, in conformity with the suggestions of that letter, the order is issued. And still it is said that the President of the United States, by the issuing of that order, involved our country in an unnecessary and unconstitutional war, although he stands justified, upon the record, by the state of things then existing in the Republic of Mexico; justified by the warlike attitude assumed by her Government towards the United States; justified by the preparations for war that

she had made; justified by her refusal to receive our minister upon a mere pretext; and, finally, justified by the unqualified recommendation of the commanding general of the army, providing for the very contingency upon the happening of which the order was issued. And yet gentlemen of the Opposition, in the infatuation of party zeal, in reviewing the history of this transaction, in one and the same breath, canonize the man who made the recommendation, and denounce the man who followed it. In their judgment, General Taylor was right in advising the removal of the army to the Rio Grande, if Mexico "*manifested a disposition to protract negotiations unreasonably;*" but Mr. Polk did wrong in ordering the removal, after Mexico *had positively refused to negotiate at all.* I put it to the candor of the gentleman from Indiana and his party, to say whether the strict demands of impartial justice do not require that they should either withhold the plaudits of the one, or abandon the censure of the other.

I come now to consider another position, and that has reference to the fact that the policy of the President of the United States, in reference to the defence of the western frontier of Texas, was communicated to Congress by him prior to the issuing of the order. I say the policy indicated by that order, and which that order was intended to carry out, was communicated by the President of the United States, in his annual message to Congress, at the commencement of the session in the course of which that order was issued. To show this, I will read a short extract or two from the message of Mr. Polk, in December, 1845:

"The jurisdiction of the United States, which at the formation of the Federal Constitution was bounded by the St. Mary's, on the Atlantic, has passed the Capes of Florida, and been peacefully extended to the Del Norte."

Here is a declaration, in the message of the President, of what he considers the western boundary of Texas, viz: the Rio del Norte.

Again, in the same message, he informs Congress :

"Our army was ordered to take position in the country between the Nueces and the Del Norte, and to repel any invasion of the Texan territory which might be attempted by the Mexican forces. Our squadron in the Gulf was ordered to coöperate with the army."

What was the Texan territory which the President told the country at that early day the army was placed between the Nueces and the Rio del Norte for the purpose of defending? It is immaterial how we may differ here about the line between the Nueces and the Del Norte. We are inquiring now as to the policy of the President of the United States. What line did he inform you the army was placed between the Nueces and the Del Norte to defend? In the extract first read, the President informed Congress that, in his judgment, the western boundary of Texas was the Rio del Norte; he then says, in the last extract, that our troops had been ordered between the Nueces and the Rio Grande for the purpose of protecting the territory of Texas—that territory which, in his judgment, extended to the Rio del Norte.

But the Secretary of War, in his annual report accompanying this message of the President in December, 1845, gives information of the same thing. He says:

"The ready acceptance on the part of Texas of the terms of annexation proffered by this Government excited the ill will of the Government of Mexico. That Republic menaced the immediate commencement of hostilities against the United States, and set on foot, as it was said, extensive preparations to invade and subjugate Texas. Pursuant to your directions, an army of occupation was assembled in that State, and Brigadier General Taylor assigned to the command of it. He was instructed to repel Mexican aggressions, and protect the country from Indian invasions; to

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regard the Rio del Norte as its western boundary, and to select a position for his forces with reference to this frontier; but to leave unmolested Mexican settlements, and also military posts, should there be any such posts on the east bank of that river, which were in the occupation of Mexican forces previously to the period when Texas assented to the terms of annexation."

Sir, there is the communication made both by the President of the United States and the Secretary of War, at the commencement of the session of Congress in 1845, showing us, clearly as language can express, that the President considered the Rio Grande as the western boundary of Texas, and that an order had already been issued, and the troops posted there, for the purpose of protecting to the Rio del Norte. Was any movement made in Congress about it? None; and yet the troops, we were informed by the President, were in what gentlemen claim to be disputed territory, between the Nueces and the Rio Grande, and which march is now claimed by gentlemen to have been the commencement of the war.

The gentleman from Illinois, [Mr. LINCOLN,] a few days ago, introduced a resolution calling upon the President to inform Congress as to the particular spot upon which American blood had been spilt upon American soil. I ask him and his party to inform us what particular spot it was that the army first put their foot upon, that constituted the commencement of this unnecessary and unconstitutional war? Was it when they first entered the Mexican territory? If so, where is that Mexican territory? Was it when they first entered upon the disputed territory? If so, where is that disputed territory? I desire this information, for the purpose of ascertaining the exact time and place, when and where this gross outrage of involving the country in an unjust war was committed. The mere act of issuing the order did not do it, and therefore it is important to know at what period in the progress of its execution the unholy deed was perpetrated. If gentlemen assume the ground that the occupancy of the disputed territory constituted the offence, then I desire to know how it is that they made no effort to recall the troops from Corpus Christi, which, being on the west bank of the Nueces, was a part of the disputed territory, as they have heretofore informed us, and have made able and ingenious arguments in support of the position that the Nueces river was the legitimate western boundary of Texas. I confess myself at a loss to account for the conduct of gentlemen who now seem to attach so much importance to the occupancy by our troops of the country between the Nueces and the Rio Grande, and who quietly looked upon the transaction at the time it was transpiring, unmoved by the first apprehension of the calamitous results which it is now said necessarily followed from it. It seems to me, sir, that, under similar circumstances, I would at least have raised my warning voice to have notified my countrymen of the impending danger that was threatening our cherished institutions, and summoned them to the protection of the Constitution from so foul and fatal a blow. But the most remarkable thing connected with the conduct of the Whigs, in relation to this order, remains yet to be alluded to, and that is the fact, that the issuing of the order was known to many of their most prominent men shortly after it was issued, and long before the troops commenced their march from Corpus Christi. A distinguished Senator from Delaware [Mr. J. M. CLAYTON] avowed, during the last session of Congress, his knowledge of the fact early in February; and when called upon to account for his strange silence and inaction on the subject, assigned as his reason for not moving in the mat-

ter, that he was in the minority of the Senate, and could not therefore promise himself any success by making a movement in that body. But, as it seems he was not aware of the fact that the Democratic majority in the House was much larger than in the Senate, he placed the subject in charge of a friend, for the purpose of having it brought forward here. I will not do Mr. CLAYTON the injustice to believe that he thought that the prospect for successful action on the subject was better in the House than in the Senate. He well knew that the small size of the Senate, the adaptation of its rules for the regular despatch of business, and its proverbial courtesy, afforded far superior opportunities for the consideration of such a resolution than could possibly be hoped for in this body; and the result in this very case shows it; for his friend from Massachusetts [Mr. ASHMUN] introduced a resolution of inquiry on the subject, failed to obtain a suspension of the rules for its consideration, and that was an end of it. No one, as far as I know, ever alluded to it in debate, and certainly neither the attention of the House nor the country was ever called to the subject with that solemnity which the importance now attached to it would have imperatively demanded.

But I pass on to the time when the bill declaring a state of war to exist between the Republic of Mexico and the United States, and providing for its further prosecution by raising fifty thousand men, and appropriating ten millions of dollars, was under consideration. Now, sir, when the country, by this unnecessary and unconstitutional act of the President, had been involved in an unjust war, I appeal to gentlemen on the other side to know if the time had not then arrived when an effort should have been made to arrest this reckless Administration, in its schemes of conquest, and its inroads upon the Constitution of the country. Justice to Mexico, upon whom we had waged an unjust war—justice to the Constitution of our own country, which, as freemen and statesmen, we should love and venerate,—called loudly for some interposing hand to rescue the country from the calamitous consequences of that act; but, by referring to the proceedings of this House at that time, we find that the effort then made to bring back our army from this war, thus unnecessarily and unconstitutionally begun, met with no favor from the Whig party. I read from the proceedings of the House on the war bill:

"Mr. E. B. HOLMES offered the following amendment, which, by ayes 8, noes 122, was rejected:

"Provided, That the provisions of this (the first) section do not, nor shall they be deemed to, apply to that portion of the country west and south of the river Nueces, except so far as to withdraw, and, if need be, to rescue our army from the region of the Rio Grande."

Here was an effort on the part of the gentleman from New York to save his country, to rescue the Constitution, and avert from both nations the horrors of a war unnecessarily and unconstitutionally begun by the President of the United States. But what favor did it receive in this House? It was rejected by ayes 8, noes 122. Where then were the friends of this most remarkable declaration, which has been so solemnly spread upon the records of Congress, that they did not give to the gentleman from New York the aid of their votes and the countenance of their support? Entertaining the opinion which they now profess to hold, the proposition just quoted presented the only course of policy consistent with the obligations of justice and humanity. They ought, in the spirit of this amendment, to have said to Mexico, You have been wronged by the act of the President, and we avail ourselves of the earliest opportunity

of repairing the injury which we have inflicted upon you, by withdrawing the troops from the scene of action. But the record shows that such a policy had no friends upon this floor at that time.

In the course of this proceeding upon the war bill, there was another amendment proposed by a gentleman from the State of Ohio, [Mr. DELANO,] which had for its object the expression of the very opinion contained in the amendment we are now considering, though in a much milder form. He only proposed to express the disapprobation of Congress of the conduct of the President in ordering our troops to the Rio Grande, or rather, to withhold the expression of its approval. It shared the same fate with its kindred measure, to which we have been just alluding. I read from the same day's proceedings:

"*Mr. DELANO offered the following addition to the eleventh section, which was rejected by ayes 27, noes 97:*

"Provided, That nothing herein contained shall be considered as approving the conduct of the President in taking armed occupation of any territory lying between the Nueces and Rio del Norte, and claimed by Mexico as never having constituted part of the Province of Texas during the time that Texas constituted part of the Mexican Republic."

It would seem that the very least that gentlemen could have done at that time would have been to have indicated the great indignation now professed to be felt against the President, by giving to this proposition their warm and cordial support. The President, you now say, had, by the removal of the army to the Rio Grande, unnecessarily involved the country in war, and violated his constitutional obligations; and yet, when called upon, at the time of the occurrence of the act, to withhold your approval, you treat the proposition with the coldest indifference.

Apart from these collateral questions, which were made during the pendency of the war bill by gentlemen on the other side, I should like to know how they propose to reconcile the support which they then gave to that measure with their present unqualified denunciation of the origin of the war. The bill passed this House with unusual unanimity—only fourteen members voting against it. Upon what principle do gentlemen justify their vote of such liberal supplies of men and money for the prosecution of a war unnecessarily and unconstitutionally begun by the President of the United States? Was it the requirement of patriotism to sustain the President in a war which he had unnecessarily brought upon the country? Did the Constitution impose upon them an obligation to approve and sanction a war which had its very origin in the violation of that sacred instrument? Or was it from a sense of what was due to Mexico, whose wrongs already suffered at our hands by the act of the President, required the infliction of additional injuries? I know, sir, that the attempt has been made to reconcile the support of this bill with subsequent denunciation of the war, upon the pretext that the supplies were voted for the purpose of relieving General Taylor and his army from the perilous condition in which they were placed. It requires but a moment's reflection to exhibit the fallacy of this proposition. Every man must have felt conscious, at the time he gave his vote upon that bill, that General Taylor and his army must either have been overwhelmed by the Mexican forces, or else have nobly and triumphantly vindicated our national flag, and thus rescued themselves from the impending danger, before the bill itself could become the law of the land; and therefore, as a measure of relief to them, the bill would have been worse than useless. Moreover, compare the provisions of the bill with the object avowed of affording relief to General Taylor and his army, and what a picture does it present? The bill provides that the militia, army, and navy of the United States, together with fifty thousand volunteers, shall be placed at the disposal of the President of the United States, for the purpose of prosecuting the war to a speedy and successful termination. Thus, upon the face of the bill, is its object clearly, distinctly, and explicitly set forth and declared. And, sir, the idea that the militia, regular army, and fifty thousand volunteers, were voted for to extricate General Taylor and his army from the dangers and difficulties by which they were supposed to be surrounded, is preposterous and absurd; and when you consider, too, that

the navy was, by the same bill, placed at the disposal of the President—that they, too, were to participate in the relief which it was the alleged object of this bill to give to the army under General Taylor,—the picture becomes absolutely ridiculous. No, sir; the bill too clearly expresses its own object to admit of caviling, and the accompanying provisions to which I have referred dispel all doubt as to the intentions of its friends and supporters. The means furnished in the bill corresponded with the object contemplated by it.

This brief review of what transpired in this House, at the time of the passage of the war bill of the 13th May, shows, that at that time the war, whether begun necessarily or unnecessarily, constitutionally or unconstitutionally, by the President or by Mexico, was, by the vote of all parties, to be prosecuted with all the power and energy which the ample resources of the country would afford. So that gentlemen on the other side are involved, either in the glaring inconsistency of having changed their views and opinions about the origin of the war since that time, or else in having countenanced and sanctioned by their votes the vigorous and energetic prosecution of a war unnecessarily and unconstitutionally waged by the President of the United States against a peaceful and unoffending sister Republic. They may take either horn of the dilemma, as their taste may suggest. I envy them not their position, whichever may be their selection.

I have now very hastily and imperfectly referred to the various considerations suggested to my mind by this most extraordinary and remarkable charge made against the President of the United States. My purpose has been to illustrate the truth of the following propositions:

First. That the charge made by the Whig party in this House that this "war was unnecessarily and unconstitutionally begun by the President of the United States," is wholly irreconcilable with the views and opinions of the same party pending the question of the annexation of Texas to the Union.

Secondly. That the existing relations between Mexico and the United States—her withdrawal of her minister from our Government—her repeated threats to reconquer Texas—her warlike preparations—her expressed determination to wage war upon the United States—the imbibed feelings of her people against us on account of the annexation of Texas, as manifested in the overthrow of Herrera, simply because he had agreed to receive an American minister—her refusal to settle the pending difficulties between the two countries by peaceful negotiation, as evidenced by the rejection of our minister, (Mr. Slidell,) after indicating a willingness to receive him,—not only justified the President in adopting the firm and energetic policy which he pursued, but that had he done otherwise, he would have subjected himself to severe censure and animadversion.

Thirdly. That the order for the removal of the troops from Corpus Christi to the Rio Grande was given in strict conformity with the recommendation of General Taylor, who advised that step, in the event that "Mexico should manifest a disposition to protract negotiation unreasonably," and that the President did postpone the order until he was notified that the Mexican Government had positively refused to receive our minister of peace.

Fourthly. That the policy of the Administration in reference to the defence of the western boundary of Texas, which was carried out in the execution of this order, was fully communicated to Congress in the President's message and the accompanying War report, in December, 1845, and that the failure of Congress, or any portion thereof, to question the correctness of that policy, authorized the President to infer their acquiescence in and approval of it.

Fifthly. That the course of the great body of the Whig party upon the war bill, in refusing to vote for the withdrawal of our army to the east bank of the Nueces, in refusing to express their disapprobation of the conduct of the President in taking armed occupation of the territory between the Nueces and the Rio Grande, and in actually voting the most ample means for the prosecution of the war to a speedy and successful termination, is utterly irreconcilable with the declaration now made, that the war was unnecessarily and unconstitutionally begun by the President of the United States.

Sixthly. That the charge itself is unjust and illiberal—unfounded in fact, and unsupported by argument.

How far I have succeeded in demonstrating the correctness of these propositions, I submit to the judgment of an honest and enlightened constituency to determine. I may be permitted, however, to express the belief, that the country will agree with me in saying that the record of the history of this war gives the strongest assurances that the President has been actuated throughout by the highest and purest motives, and that his conduct has been wise, judicious, and statesmanlike.